

SEP 05 2005

7
MICHAEL N. MILBY, CLERK OF COURT

IN THE UNITED STATES DISTRICT COURT
FOR SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

C. SCOTT EVANS

VS.

ELIZABETH WHITLEY AND
MID-ATLANTIC SOLUTIONS, INC.

§
§
§
§
§
§

CIVIL ACTION NO: G-04-713

PLAINTIFF'S INITIAL DESIGNATION OF EXPERT

Subject to his previously filed Motion for Extension of Time, C. Scott Evans ("Plaintiff") makes the following initial designation of an expert:

1. C. Scott Evans, 2901 Bucks Bayou Road, Bay City, TX 77414, as Plaintiff in this case, will serve primarily as a fact witness. Some of his testimony, however, may fall within the parameters of an expert witness. In particular, based upon his background and experience, Evans may testify concerning his overall knowledge of the H-2B program, including the nature and function of H-2B agents. He may also offer opinion testimony concerning the action taken by the Monterrey Consulate in 2004 and the failure by Defendants to exercise reasonable care in investigating such consular actions and disseminating their defamatory characterization of the nature of the consular action to others. Evans also may testify concerning the damages he has suffered because of Defendants' defamation.

Respectfully submitted,

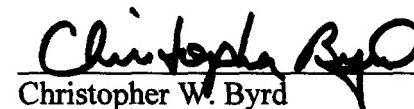
Christopher W. Byrd
Christopher W. Byrd TSB# 03557500
1177 West Loop South, Ste. 700
Houston, Texas 77027
Pho: 832-681-2315 Fax: 713-759-9650
ATTORNEY-IN-CHARGE

OF COUNSEL:
G. P. Hardy, III
TSB#: 08992000
1177 West Loop South, Suite 700
Houston, TX 77027
PHO: 713-222-0381
FAX: 713-759-9650

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document has been forwarded to opposing counsel, by the undersigned, via certified mail, return receipt requested, fax, or, by hand delivery, on this date, September 2, 2005.


Christopher W. Byrd